

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

RICHARD NELSON,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a Delaware  
Corporation,

Defendant.

No. C08-5276JKA

STIPULATION AND ORDER FOR  
DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED that the above-entitled matter be  
dismissed without prejudice and without costs to either party.

Dated: April 24, 2009

Dated: April 24, 2009

s/Keith Ekstrom  
Keith Ekstrom  
Fredric A. Bremseth  
Bremseth Law Firm, P.C.  
601 Carlson Parkway, Suite 995  
Minnetonka, Minnesota 55305

s/Tom Montgomery  
Tom Montgomery  
Kelsey E. Endres  
Montgomery Scarp MacDougall, PLLC  
1218 3rd Ave, Ste 2700  
Seattle, WA 98101-3237

## ORDER OF DISMISSAL

Upon stipulation of all parties involved, it is hereby **ORDERED, ADJUDGED AND DECREED** that the above-referenced lawsuit is hereby dismissed without prejudice and without costs to either party.

ENTERED this 27<sup>th</sup> day of April, 2009.

/s/ J. Kelley Arnold  
Honorable J. Kelley Arnold  
United States Magistrate Judge

Presented by:

s/Keith Ekstrom  
Keith Ekstrom  
Fredric A. Bremseth  
Bremseth Law Firm, P.C.  
601 Carlson Parkway, Suite 995  
Minnetonka, Minnesota 55305

s/Tom Montgomery  
Tom Montgomery  
Kelsey E. Endres  
Montgomery Scarp MacDougall, PLLC  
1218 3rd Ave, Ste 2700  
Seattle, WA 98101-3237